

California Terminology

Statutory Authority to Protect Water Quality

- U.S. Environmental Protection Agency
 - ◆ Federal Water Pollution Control Act (Clean Water Act)
 - Found in 33 United States Code
- California Water Boards
 - ◆ Porter-Cologne Water Quality Control Act
 - Found in Division 7 of the California Water Code
 - ◆ Delegated authority from U.S. EPA to implement the Clean Water Act

Water Quality Standards

Federal Clean Water Act—

- Provisions of state or federal law
- **Designated use** or uses for waters of the United States and
- **Water quality criteria** for such waters based upon such uses
- **Antidegradation** policies included

[40 CFR 130.2(c) and 131.3(i)]

Water Quality Standards In California

- Found in the
Water Quality Control Plans
(Basin Plans)
- Adopted by
 - ◆ State Water Resources Control Board
 - ◆ 9 Regional Water Quality Control Boards

Water Quality Standards In California

Water Quality Standards include

- **Beneficial Uses**

for each water body or portion thereof

- **Water Quality Objectives**

(criteria) to protect uses

Porter-Cologne Act also requires

- **Implementation Programs**

to achieve the objectives

Where Do Water Quality Standards Apply?

- Waters of the United States (Federal)
 - ◆ Navigable surface waters and their tributaries
 - ◆ More after lunch
- Waters of the State (California)
 - ◆ Include both surface waters and groundwater
 - ◆ Very broadly defined

Protected Uses

- Federal
 - ◆ Designated Uses
- California
 - ◆ Beneficial Uses

Beneficial Uses of Waters of the State

California Water Code § 13050(f)

- **Beneficial uses of the waters of the state that may be protected against water quality degradation include, but are not necessarily limited to**
 - ◆ **domestic, municipal, agricultural and industrial supply;**
 - ◆ **power generation;**
 - ◆ **recreation;**
 - ◆ **esthetic enjoyment;**
 - ◆ **navigation; and**
 - ◆ **preservation and enhancement of fish, wildlife, and other aquatic resources or preserves.”**

Beneficial Uses

- Porter-Cologne Act (California term)
- Uses of water
to be protected against degradation
- Found in Water Quality Control Plans
- Groundwater and Surface Water

Limits to Protect Uses

- Federal
 - ◆ Water Quality Criteria
- California
 - ◆ Water Quality Objectives

Water Quality Criteria

- Federal Clean Water Act (surface water)
- Levels of water quality that support particular uses
- CWA Section 303(c) Criteria
 - ◆ Enforceable limits under CWA (promulgated)
 - California Toxics Rule & National Toxics Rule
- CWA Section 304(a) Criteria
 - ◆ Advisory to states and tribes
 - National Recommended Water Quality Criteria

Water Quality Objectives

California Water Code §13050(h)

- Limits or levels of water quality constituents or characteristics
- Established for the
 - ◆ Reasonable protection of beneficial uses of water or
 - ◆ Prevention of nuisance within a specific area
 - ◆ Also in CWC §13241

Water Quality Objectives

- Porter-Cologne Act (California term)
- Found in Water Quality Control Plans
- Groundwater and Surface Water
- Same legal status as
CWA Section 303(c) water quality criteria

Water Quality Objectives

California Water Code §13241

- Factors to be considered:
 - ◆ Past, present, and probable future beneficial uses
 - ◆ Environmental characteristics of the hydrographic unit, including the quality of water available thereto
 - ◆ Water quality conditions that could reasonably be achieved through the coordinated control of all factors which affect water quality in the area
 - ◆ Economic considerations
 - ◆ Need for developing housing within the region
 - ◆ Need to develop and use recycled water

Enforceable Water Quality Standards

- Federal
 - ◆ 303(c) Water Quality Criteria (promulgated)
+ Designated Use or Uses
- In California
 - ◆ Water Quality Objectives
+ Beneficial Use designations or
 - ◆ CTR or NTR Criteria
+ Beneficial Use designations

Waste Discharge Permitting

- Federal
 - ◆ National Pollutant Discharge Elimination System (NPDES) Permits
- California
 - ◆ Waste Discharge Requirements
 - WDRs for discharges to Waters of the U.S.
= NPDES Permits